

By a Report and Recommendation dated January 13, 2009, Magistrate Judge Bloom has recommended that plaintiff's motion for default judgment should be denied and defendants' motion to vacate the default should be granted. Pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b), the parties had ten days to file written objections to Judge Bloom's Report and Recommendation. As of February 2, 2009, neither party had filed objections.

Having reviewed the Report and Recommendation, and finding no error on the face of the record, the Court adopts the Report and Recommendation in its entirety. The Court DENIES [9] plaintiff's motion for default judgment; GRANTS [11] defendants' motion to vacate the default; and ORDERS that the Clerk of Court vacate the entry of default against defendants. This matter is referred to Magistrate Judge Lois Bloom for continued settlement discussions and all other pretrial matters.

The Clerk of the Court is directed to mail a copy of this Order to defendant *pro se*.

SO ORDERED.

/Signed by Judge Brian M. Cogan/

U.S.D.J.

Dated: Brooklyn, New York
February 9, 2009